

Remarks

Claims 11, 16, 31, 32, and 51 are amended. Claim 50 has been cancelled. Claims 11 – 16, 18, 22 – 33, 35 and 51 - 55 are pending in the application. No new subject matter is added. Applicant requests reconsideration.

Rejection under 35 U.S.C. § 112

Claims 11 – 16, 18, 22 – 33, 35 and 50 – 55 have been rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. To the extent that this rejection may be maintained with respect to the pending claims, it is respectfully traversed.

The Office Action objects to the definition of R₇ and R₈, which states “are independently O, S, NR₂₆ or N”. The Office Action states:

“However, R₈ is a member of a ring system which has a double bond attached to it and a single bond attached to it within the ring. It is unlikely that R₈ could be NR₂₆ or O without a charge being present because in both cases the heteroatoms will have too many bonds attached to them. R₇ is a member of a ring system which there are two single bonds attached to it and it is unlikely that R₇ could be a N atom because it will not have enough bonds attached to it and would require another bond to be attached to the N atom. Appropriate correction is required. (See Office Action at page 3 full paragraph.)

Applicants disagree. A person of skill in the art would know which groups would work and which would not work as R₇ and R₈, respectively. However, in order to expedite the allowance of this application the definitions of the R₇ and R₈ terms have been separated.

Applicants respectfully request that the rejection under 35 U.S.C. § 112, second paragraph be withdrawn.

USSN: 10/578,216
Group Art Unit: 1626
Docket No.: 198P00944USWO

Claim Objections

Claims 11 – 16, 18, 22 – 33, 35 and 50 – 55 have been objected to as containing non-elected subject matter. To the extent that this rejection may be maintained with respect to the pending claims, it is respectfully traversed.

As amended, the claims (claim 11 is independent and claim 50 cancelled) are presented and limited to the elected subject matter. Accordingly, it is respectfully requested that the claims pass to issue.

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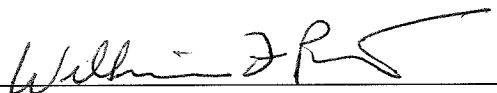
CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (612) 455-2564 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 50-0549.

Respectfully submitted on behalf of
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